

AMENDMENTS TO THE CLAIMS:

The following Listing of Claims replaces all prior Listings and versions of claims in the above-identified application.

Listing of Claims

1-47. (Cancelled)

48. (Currently Amended) The method of Claim 4766, comprising detecting expression of at least one gene selected from the group consisting of: E-cadherin (represented by SEQ ID NO:3) and ErbB3 (represented by SEQ ID NO:15 or SEQ ID NO:133).

49. (Currently Amended) The method of Claim 4766, comprising detecting expression of E-cadherin (represented by SEQ ID NO:3), wherein expression of E-cadherin in the patient's tumor cells is correlated with sensitivity to the EGFR inhibitor.

50. (Cancelled)

51. (Withdrawn - Currently Amended) The method of Claim 4766, comprising detecting expression of at least one gene selected from the group consisting of ZEB1 and SIP1, wherein expression of ZEB1 or SIP1 in the patient's tumor cells is correlated with resistance to the EGFR inhibitor.

52. (Previously Presented) The method of Claim 51, wherein detection of expression of ZEB1 or SIP1 in the patient's tumor cells indicates the recruitment of histone deacetylase HDAC in the tumor cells of the patient.

53. (Currently Amended) The method of Claim 4766, wherein the EGFR inhibitor is gefitinib.

54. (Cancelled)

55. (Currently Amended) The method of Claim 4766, wherein expression of the gene or genes is detected by:

- a) measuring amounts of transcripts of the gene in the tumor cells;
- b) detecting hybridization of at least a portion of the gene or a transcript thereof to a nucleic acid molecule comprising a portion of the gene or a transcript thereof in a nucleic acid array; or
- c) detecting the production of a protein encoded by the gene.

56. (Currently Amended) The method of Claim 4766, wherein the step of comparing comprises comparing the expression of the gene or genes to expression of the gene or genes in:

- a) a cell from a non-cancerous cell of the same type;
- b) an autologous, non-cancerous cell from the patient;
- c) a control cell that is resistant to the EGFR inhibitor;
- d) a control cell that is sensitive to the EGFR inhibitor; or
- e) a predetermined level of expression of the gene or genes.

57. (Currently Amended) A method to select a cancer patient who is predicted to benefit from therapeutic administration of an EGFR inhibitor, an agonist thereof, or a drug having substantially similar biological activity as EGFR inhibitor, comprising selecting a patient with tumor cells expressing one or both of E-cadherin and ErbB3 as predicted to benefit from therapeutic administration of the EGFR inhibitor, ~~and~~ or selecting a patient with tumor cells expressing one or both of ZEB1 or and SIP1 as not predicted to benefit from therapeutic administration of the EGFR inhibitor.

58. (Currently Amended) The method of Claim 57, wherein expression of E-cadherin or ErbB3 in the patient tumor cells is compared to a statistically significant expression level of E-cadherin or ErbB3, respectively, in a at least one control cell that is sensitive to the EGFR inhibitor.

59. (Currently Amended) The method of Claim 57, wherein expression of ZEB1 or SIP1 in the patient tumor cells is compared to a statistically significant expression level of ZEB1 or SIP1, respectively, in a at least one control cell that is resistant to the EGFR inhibitor.

60-65. (Cancelled)

66. (New) A method to select a cancer patient who is predicted to benefit from therapeutic administration of an EGFR inhibitor, an agonist thereof, or a drug having substantially similar biological activity as EGFR inhibitor, comprising:

- a) detecting in a sample of tumor cells from a patient to be tested, the expression of a gene or genes whose expression has been correlated with sensitivity or resistance to an EGFR inhibitor, the gene or genes being selected from the group consisting of E-cadherin, ErbB3, RAB25, integrin beta 6 (ITGB6), ZEB1 and SIP1;

b) comparing the level of expression of the gene or genes detected in the patient sample to a level of expression of the gene or genes that has been correlated with sensitivity or resistance to the EGFR inhibitor; and

c) selecting the patient as being predicted to benefit from therapeutic administration of the EGFR inhibitor, an agonist thereof, or a drug having substantially similar biological activity as EGFR inhibitor, if the expression level of the gene or genes in the patient's tumor cells is statistically more similar to the expression level of the gene or genes that has been correlated with sensitivity to the EGFR inhibitor than to resistance to the EGFR inhibitor.

67. (New) The method of Claim 66, wherein the gene is E-cadherin, and the level of expression that has been correlated with sensitivity is a statistically significant level of expression.

68. (Withdrawn - New) The method of Claim 66, wherein the gene is ErbB3, and the level of expression that has been correlated with sensitivity is a statistically significant level of expression.

69. (Withdrawn - New) The method of Claim 66, wherein the gene is RAB25, and the level of expression that has been correlated with sensitivity is a statistically significant level of expression.

70. (Withdrawn - New) The method of Claim 66, wherein the gene is ITGB6, and the level of expression that has been correlated with sensitivity is a statistically significant level of expression.

71. (Withdrawn - New) The method of Claim 66, wherein the gene is ZEB1, and the level of expression that has been correlated with resistance is a statistically significant level of expression.

72. (Withdrawn - New) The method of Claim 66, wherein the gene is SIP1, and the level of expression that has been correlated with resistance is a statistically significant level of expression.

73. (New) The method of Claim 66, comprising detecting expression of at least one gene selected from the group consisting of: E-cadherin, ErbB3, RAB25 and ITGB6, wherein expression of E-cadherin, ErbB3, RAB25 or ITGB6 in the patient's tumor cells is correlated with sensitivity to the EGFR inhibitor.

74. (New) The method of Claim 57, comprising selecting a patient with tumor cells expressing E-cadherin as predicted to benefit from therapeutic administration of the EGFR inhibitor.

75. (Withdrawn - New) The method of Claim 57, comprising selecting a patient with tumor cells expressing ErbB3 as predicted to benefit from therapeutic administration of the EGFR inhibitor.